

ORIGINAL

NEW APPLICATION

BEFORE THE ARIZONA CORPORATION COM



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COMMISSIONERS

T-02063A-14-0207

Arizona Corporation Commission

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ARIZONA CORPORATION COMMISSION
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IN THE MATTER OF THE APPLICATION OF
ARIZONA TELEPHONE COMPANY, AN
ARIZONA CORPORATION, TO OFFER
DEREGULATED VOICE MAIL SERVICES

DOCKET NO. T-02063A -14-

**APPLICATION TO OFFER
DEREGULATED VOICE MAIL
SERVICES**

1 Arizona Telephone Company ("Arizona Telephone") hereby applies with the Arizona
2 Corporation Commission ("Commission") for authority to offer deregulated voice mail services
3 to its customers.

4 A.R.S. § 40-281(E) provides:

5 When the commission determines after notice and hearing that any product or
6 service of a telecommunications corporation is neither essential nor integral to the
7 public service rendered by such corporation, it shall declare that such product or
8 service is not subject to regulation by the commission.

9 Voice mail services are "neither essential nor integral to public service rendered by" Arizona
10 Telephone. The company's regulated public service provision of basic telephone service can be
11 and is provided to residential and business customers with or without voice mail services.¹

12 Further voice mail services by Arizona Telephone would not constitute "transmitting
13 messages or furnishing public telegraph or telephone service" under Article 15, § 2 of the
14 Arizona Constitution. Rather than transmit messages or furnish telephone service, voice mail
15 permits (1) callers to record their transmitted message and (2) recipients (subscribers) to store
16 and retrieve the recorded message. Thus, voice mail service is totally independent of basic
17 telephone service.

18 Arizona Telephone does not presently offer voice mail services to its customers.
19 Unregulated voice mail services are provided by independent voice mail providers, competitive
20 local exchange carriers, and cellular carriers and marketers. Customers may also purchase

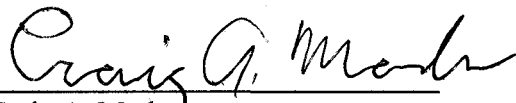
¹ See *Mountain States Telephone and Telegraph Co. v. Arizona Corporation Commission*, 132 Ariz. 109, 644 P.2d 263 (App. 1982).

1 answering machines rather than purchase voice mail services. Because of the huge variety of
2 competitive offerings, it is in the public interest to allow Arizona Telephone to respond to its
3 competitors' offerings and also market voice mail services without the burden of regulation.

4 Arizona Telephone's application is supported by Commission precedent. Qwest's voice
5 mail service was deregulated by the Commission in Decision No. 68604 (Docket Number T-
6 01051 B-03-0454) at 11, and Section 21 of the attached Settlement Agreement.

7 **Requested Relief:** Arizona Telephone asks the Commission to allow it to offer
8 deregulated voice mail services to its customers.

9 Respectfully submitted on June 25, 2014.

10 
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